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U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LOUIS DANIEL SMITH,
a/k/a Daniel Smith, a/k/a Daniel Votino,
KARIS DELONG, a/k/a Karis Copper,
TAMMY OLSON, and CHRIS OLSON,

Defendants.

CR-13-14-RMP

INDICTMENT

Vio: 18 U.S.C. § 371
Conspiracy (Count 1)

21 U.S.C. §§ 331(a) and
333(a)(2)
Misbranded Drugs
(Counts 2-5)

18 U.S.C. § 545
Smuggling (Count 6)

Forfeiture Allegation

The Grand Jury Charges:

GENERAL ALLEGATIONS

At all times material to this Indictment:

1. The United States Food and Drug Administration ("FDA") was the federal agency responsible for protecting the health and safety of the American public by enforcing the Food, Drug and Cosmetic Act ("FDCA"). One main purpose of the FDCA was to ensure that drugs sold for administration to humans, or for consumption or other use by humans, were safe, effective, and bore labeling containing only true and accurate information. The FDA's responsibilities under the FDCA included regulating the manufacture, labeling, and distribution of all drugs shipped or received in interstate commerce.

INDICTMENT - 1

01-23-13 MMS_Indictment.wpd

1 2. Under the FDCA, upon first engaging in the manufacture,
2 preparation, propagation, compounding, or processing of any drugs every person
3 was required to immediately register his name, place of business, and all such
4 establishments owned or operated by such person. 21 U.S.C. § 360(c). The terms
5 “manufacture, preparation, propagation, compounding, or processing” include
6 repackaging or otherwise changing the container, wrapper, or labeling of any drug
7 during the time between the original manufacture and the final sale to the ultimate
8 consumer or user. 21 U.S.C. § 360(a)(1).

9 3. The term “label” was defined as a display of written, printed, or
10 graphic matter upon the immediate container of any article. 21 U.S.C. § 321(k).
11 The term “labeling” was broader, and included all labels and other written,
12 printed, or graphic matter upon any article, including drugs, or on any of its
13 containers or wrappers, or accompanying such article. 21 U.S.C. § 321(m).

14 4. Under the FDCA, drugs were defined as, among other things, articles
15 intended for use in the diagnosis, cure, mitigation, treatment, or prevention of
16 disease in man, 21 U.S.C. § 321(g)(1)(B); articles intended to affect the structure
17 or any function of the body of man, 21 U.S.C. § 321(g)(1)(C); or articles intended
18 for use as components of other drugs. 21 U.S.C. § 321(g)(1)(D).

19 5. The "intended use" of a drug meant the objective intent of the persons
20 legally responsible for the labeling of that drug. The intent was determined by
21 such person's expressions, the circumstances surrounding the distribution of the
22 drug, labeling claims, advertising matter, or oral or written statements by such
23 persons or their representatives. It might also have been shown by the
24 circumstances that the drug was, with the knowledge of such persons or their
25 representatives, offered and used for a purpose for which it was neither labeled nor
26 advertised. 21 C.F.R § 201.128.

1 6. Under the FDCA, the introduction, delivery for introduction, or
2 causing the introduction or delivery for introduction into interstate commerce of a
3 drug that was misbranded was prohibited. 21 U.S.C. § 331(a).

4 7. A drug was misbranded if, among other things:

5 a. its labeling was false or misleading in any particular (21 U.S.C.
6 § 352(a));

7 b. its labeling did not bear the name and place of business of the
8 manufacturer, packer, or distributor, including the street address, city and zip code
9 (21 U.S.C. § 352(b); 21 C.F.R. § 201.1(i)); or

10 d. it was manufactured, prepared, propagated, compounded, or
11 processed in an establishment in any State not duly registered with the Secretary of
12 Health and Human Services pursuant to 21 U.S.C. § 360 (21 U.S.C. § 352(o)).

13 **Importation of Drugs into the United States**

14 8. The United States Customs and Border Protection (“CBP”), an
15 agency within the United States Department of Homeland Security (“DHS”), was
16 the federal agency responsible for administering the laws governing the
17 importation into the United States of goods and merchandise, including drugs.

18 9. Federal law required that, among other things, all articles brought into
19 the United States by any individual: (1) be declared to a Customs officer at the
20 port of first arrival in the United States; (2) be declared on a conveyance en route
21 to the United States on which a Customs officer was assigned for that purpose; or
22 (3) be declared at a pre-clearance office in a foreign country where a United States
23 Customs officer was stationed for that purpose.

24 10. Whenever drugs falling under the jurisdiction of the FDA were
25 declared or offered for import into the United States, CBP notified the FDA to
26 determine whether the drug should be sampled and whether importation of the
27 drug was lawful under the FDCA.
28

The Parties

11. PGL International, LLC ("PGL") was a Nevada corporation incorporated on or about April 30, 2008, listing as its principal place of business 2533 North Carson Street, Carson City, Nevada. PGL listed this address on various corporate documents and correspondence, but never conducted business from a physical location in Nevada. PGL marketed and sold various health-related products, including the Miracle Mineral Solution ("MMS"), through the website projectgreenlife.com. On the website, PGL was, at times, referred to as "Project GreenLife – A Private Healthcare Membership Association."

12. **LOUIS DANIEL SMITH**, also known as Daniel Smith and Daniel Votino, was a managing member of PGL. **SMITH** co-founded PGL and identified himself, at various times, as the "trustee" of "Project Greenlife – a Private Healthcare Membership Association." **SMITH** served as the director of PGL's operations and recruited family and friends to participate. **SMITH** used various email accounts, including daniel@projectgreenlife.com and dvotino@gmail.com, among others, to communicate with co-conspirators and customers.

13. **KARIS DELONG**, also known as Karis Copper, was a managing member of PGL who frequently handled financial transactions for PGL. **DELONG** recruited family and friends to participate in PGL's business. At times, **DELONG** used the email accounts kariscopper@gmail.com and karis.pgl@gmail.com, among others, to communicate with co-conspirators, suppliers, and other individuals associated with MMS and PGL.

14. **CHRIS OLSON** owned Chris Olson Customs and was the president of Belair Composites, a manufacturing firm located at 3715 East Longfellow Road, Spokane, Washington. As detailed below, **OLSON** manufactured and bottled MMS for PGL in a warehouse on this property.

15. **TAMMY OLSON** handled customer care for PGL from at least October 2008 until the summer of 2011. During that time, **OLSON**

1 communicated with customers through various email accounts to assist them with
2 purchases of MMS and other products. At times, **OLSON** used the email accounts
3 mmsmiracle@gmail.com and customercare@projectgreenlife.com to communicate
4 with co-conspirators and PGL customers. **OLSON**, in phone calls and emails with
5 PGL customers, claimed MMS could successfully treat various diseases. **OLSON**
6 also, at times, directed these customers to consume MMS to treat disease. In
7 addition, **OLSON** wrote the "MMS Miracle Book," which detailed numerous uses
8 of MMS to treat diseases. As detailed below, **OLSON** also obtained the domain
9 name purestreamhealth.com and operated a website at that web address to sell
10 MMS to consumers.

11 **The Drug**

12 16. MMS was a mixture of Sodium Chlorite and water. PGL and others
13 marketed and sold MMS on the internet.

14 17. Sodium Chlorite was a strong oxidizer. In contact with other
15 materials, Sodium Chlorite could cause fire. Sodium Chlorite was harmful if
16 swallowed and could cause digestive tract burns.

17 18. When Sodium Chlorite was combined with citric acid, these
18 ingredients produced Chlorine Dioxide. Chlorine Dioxide was a potent agent used
19 in bleaching and stripping of textiles, pulp, and paper. It was also used as, among
20 other things, a disinfectant, as it effectively kills pathogenic microorganisms such
21 as fungi, bacteria, and viruses. As such, it was commonly used as a disinfecting
22 water treatment.

23 19. In humans, Chlorine Dioxide was a severe respiratory and eye irritant.
24 Inhalation could cause coughing, wheezing, respiratory distress, congestion in the
25 lungs, and death. Drinking Chlorine Dioxide could cause nausea, vomiting,
26 diarrhea, dehydration, and symptoms of severe fluid depletion.

COUNT 1
Conspiracy
(18 U.S.C. § 371)

20. Paragraphs 1 through 19 of the General Allegations section of this Indictment are re-alleged and fully incorporated herein by reference.

21. From on or about September 11, 2004 to at least on or about July 16, 2012, in Spokane, in the Eastern District of Washington and elsewhere, defendants

LOUIS DANIEL SMITH,
KARIS DELONG,
TAMMY OLSON, and
CHRIS OLSON

conspired and agreed, together and with others known and unknown to the grand jury, to:

(a) commit an offense against the United States by introducing, delivering for introduction, and causing the introduction and delivery for introduction into interstate commerce, with the intent to defraud or mislead, misbranded drugs (to wit: MMS), in violation of Title 21, United States Code, Sections 331(a) and 333(a)(2);

(b) knowingly defraud the United States and its agencies by impeding, impairing, and defeating the lawful government functions of the United States Food and Drug Administration, specifically, the FDA's duty to protect the health and safety of the public by ensuring that drugs marketed and distributed in the United States are safe and effective for their intended uses, manufactured in establishments which are registered with the Secretary of Health and Human Services, and that the labeling of such drugs bears true and accurate information, including the name and place of business of the manufacturer; and,

(c) import merchandise contrary to law, and to receive, conceal, sell, and facilitate the concealment and sale of smuggled merchandise, in violation of Title 18, United States Code, Section 545.

1 **PURPOSE OF THE CONSPIRACY**

2 22. It was the purpose of the conspiracy among **LOUIS DANIEL**
3 **SMITH, KARIS DELONG, TAMMY OLSON, CHRIS OLSON**, and their co-
4 conspirators to obtain the chemicals needed to manufacture the drug MMS without
5 revealing to regulators and suppliers the true purpose of the chemicals; to use
6 those chemicals to manufacture the drug MMS in a facility that was hidden from
7 regulators; to offer MMS for sale on websites they had established; and to enrich
8 themselves by obtaining money from the interstate sales of the misbranded drug
9 MMS.

10 **MANNER AND MEANS**

11 It was part of the conspiracy that:

12 23. **LOUIS DANIEL SMITH** created and maintained various websites
13 to market and sell MMS over the internet. These websites included
14 projectgreenlife.com, mmsmiracle.com, and mmsfornewbies.com, among others.
15 The websites directed interested consumers to an online store where **SMITH** and
16 his co-conspirators offered bottled MMS for sale. The online store also offered
17 MMS literature for sale.

18 24. The PGL online store offered, among other literature, a pamphlet
19 entitled "MMS for Newbies." The "Newbies" pamphlet described various oral
20 ingestion protocols for MMS. The pamphlet also stated, "in addition to helping
21 malaria sufferers, ClO₂ [Chlorine Dioxide] had beneficial [sic] impact on a wide
22 variety of conditions alleged to be caused by other pathogens including viruses,
23 mold, bacteria or fungi; diseases like: HIV/AIDS, Hepatitis, Typhoid, Cancers,
24 Herpes, Pneumonia, Tuberculosis, Arthritis, Asthma, Seasonal Flu – even Bird and
25 Swine Flu."

26 25. **LOUIS DANIEL SMITH** and **KARIS DELONG** used an online
27 electronic payment service, PayPal.com, to accept payment for online orders made
28 through the PGL website. **SMITH** and **DELONG** periodically transferred funds

1 from this PayPal account to various bank accounts they controlled. **SMITH** and
2 **DELONG** used these funds to pay suppliers, manufacturers, and shippers, as well
3 as for their own personal benefit.

4 26. **LOUIS DANIEL SMITH** opened two Stamps.com accounts to pay
5 postage for parcels shipped by PGL. Stamps.com is an internet-based service that
6 allows customers to weigh, print, and pay for postage without traveling to a Post
7 Office.

8 Sources of Sodium Chlorite

9 27. **LOUIS DANIEL SMITH** and his co-conspirators initially obtained
10 Sodium Chlorite from an Ogden, Utah chemical supply company. Sodium
11 Chlorite was mixed with water to create MMS.

12 28. In February 2008, the Ogden, Utah company's parent corporation
13 expressed concern that Sodium Chlorite was being used for human consumption.
14 The Director of Distributor Relations for the parent corporation wrote to the
15 Ogden, Utah company's Vice President of National Accounts in Pennsylvania. In
16 the letter, the Director said, "[W]e have recently ascertained that some companies
17 or persons are marketing products containing Sodium Chlorite for human health
18 and ingestion applications. However, as clearly explained in the Material Safety
19 Data Sheet (MSDS) for [the company's] product, Sodium Chlorite may be harmful
20 if swallowed and may cause death if used in applications not specifically listed on
21 the product label."

22 29. On or about March 14, 2008, a salesperson for the Ogden, Utah
23 chemical supply company forwarded the February 2008 letter to **LOUIS DANIEL**
24 **SMITH**. In response, **SMITH** emailed, "No issues, our product is labeled for
25 water purification."

26 30. On or about March 14, 2008, **LOUIS DANIEL SMITH** created the
27 domain name pglwater.com.
28

1 31. Material Safety Data Sheets (“MSDS”) are a widely used system for
2 cataloging information on chemicals, chemical compounds, and mixtures. The
3 MSDS generally contains instructions for the safe use and storage of a particular
4 chemical, as well as the potential hazards associated with that chemical. In May
5 2008, a salesman at the Ogden, Utah chemical supply company emailed **LOUIS**
6 **DANIEL SMITH** a MSDS for Sodium Chlorite sold by the company. The MSDS
7 indicated: “Swallowing this material may be harmful or cause death. Harmful
8 effects include burns and permanent damage to the digestive tract, including the
9 mouth, throat, stomach and intestines. Symptoms may include severe abdominal
10 pain and vomiting of blood.”

11 32. On or about December 9, 2008, the Ogden, Utah chemical supply
12 company’s parent corporation sent a letter to J.H. at “PROJECT GREENLIFE” at
13 P.O. Box 25, 6772 Springdale Hunters Road, Hunters, Washington. **LOUIS**
14 **DANIEL SMITH** and **KARIS DELONG** lived at this address. The parent
15 corporation expressed concern that Project Greenlife sold Miracle Mineral
16 Solution for human consumption. The company warned the Sodium Chlorite
17 purchased by Project Greenlife was a registered pesticide and should not be
18 consumed by humans.

19 33. **LOUIS DANIEL SMITH** sought new suppliers for Sodium Chlorite.
20 **SMITH** also took steps to hide what PGL was doing by creating fake companies
21 and websites to prevent suppliers from learning that PGL was selling Sodium
22 Chlorite for human consumption.

23 34. On or about December 12, 2008, **LOUIS DANIEL SMITH** emailed
24 an MMS supplier named R.N. **SMITH** asked R.N. if he knew any Sodium
25 Chlorite suppliers that “have no hangups regarding the sale of NaClO₂ [Sodium
26 Chlorite].” PGL employee J.L., in response to **SMITH**’s email, wrote, “Like we
27 discussed yesterday, it might not be a bad idea to consider setting up a
28

1 'ligitament'[sic] water purification company to secure SC. It might not put off the
2 inevitable, but it would prolong it a bit."

3 35. On or about December 18, 2008, **LOUIS DANIEL SMITH** wrote a
4 letter to the Ogden, Utah chemical supplier in response to the supplier's concerns
5 about PGL's use of Sodium Chlorite in products intended for human consumption.
6 **SMITH** responded, "MMS Pro is a professional grade water purification product.
7 It is manufactured with the intent of making water potable." The letter referenced
8 the website pglwater.com.

9 36. **SMITH** forwarded this December 18, 2008 letter to **KARIS**
10 **DELONG** electronically via email. In response, **DELONG** noted, "I particularly
11 like the pglwater.com site." In response to **DELONG**, **SMITH** emailed, "I had
12 planning [sic] to put that site together the last time we got a letter from [the
13 Ogden, Utah chemical supplier]."

14 37. **LOUIS DANIEL SMITH** and **KARIS DELONG** purchased the
15 domain name wastewatersys.com on or about February 23, 2009. **SMITH** emailed
16 details of the purchase to PGL employee J.L.

17 38. On or about February 24 and 25, 2009, PGL employee J.L. emailed
18 the Ogden, Utah chemical supply company to order Sodium Chlorite. In one
19 email, J.L. provided the chemical company salesperson an email address at
20 "wastewatersys.com" and referenced a company called Waste Water Systems.

21 39. At various times, **LOUIS DANIEL SMITH** emailed other MMS
22 manufacturers and consumers who were seeking supplies of Sodium Chlorite. In
23 one such email, **SMITH** identified the Ogden, Utah chemical supply company as a
24 source of Sodium Chlorite, but warned, "[i]t may be important to also point out
25 that when working with [the company] we must be clear that our Sodium Chlorite
26 requirements are for the manufacturing of a water purification product only – as
27 [the company] is strictly prohibited from selling it for any other purpose than is
28 listed on the label (MSDS)."

1 40. On another occasion, **SMITH** emailed an MMS customer in
2 Nicaragua and said, “[y]ou may order sodium chlorite in the US from the chemical
3 manufacturer [Ogden, Utah chemical supply company] but must be sure to declare
4 it for water purification and NOT for the manufacturing of a health product.”

5 41. On or about March 2, 2009, the Ogden, Utah chemical supply
6 company emailed PGL employee J.L. and attached a questionnaire regarding
7 PGL’s February 24, 2009 Sodium Chlorite order. The questionnaire requested
8 information about the purchase, including the intended use of the Sodium Chlorite.
9 In response, **LOUIS DANIEL SMITH** emailed the company salesperson and
10 said, “We’re gonna take a pass on this one with [the company]. We were able to
11 secure a source from outside the country where the grief-o-meter is relatively
12 low.” **SMITH** copied **KARIS DELONG** and PGL employee J.L. on the emailed
13 response.

14 42. On or about March 3, 2009, **LOUIS DANIEL SMITH** and PGL
15 employee J.L. ordered Sodium Chlorite from an Alberta, Canada chemical supply
16 company. The owner of the Alberta, Canada company also manufactured MMS.
17 At times, **SMITH** placed orders with the owner of the Alberta, Canada company
18 using email from various accounts, including divotino@gmail.com.

19 43. **LOUIS DANIEL SMITH** and **KARIS DELONG** paid the Alberta,
20 Canada chemical supply company by wire transfer for Sodium Chlorite. The
21 Sodium Chlorite was shipped by commercial carrier from Canada to the state of
22 Washington. These shipments of Sodium Chlorite were invoiced by the import
23 broker to “PGL Wastewater Systems.” Material Data Safety Sheets provided by
24 the Alberta, Canada company indicated the Sodium Chlorite was intended for use
25 in wastewater treatment.

26 Manufacture and Shipment of MMS

27 44. **LOUIS DANIEL SMITH** initially hired a Sedro Woolley,
28 Washington company to manufacture MMS for PGL. The Sedro Woolley

1 company mixed Sodium Chlorite obtained by PGL with water to create MMS.
2 The finished MMS product was bottled by the Sedro Woolley company. Finished
3 bottles of MMS were, at times, picked up by PGL employees including **SMITH**
4 and **KARIS DELONG**. At other times, the Sedro Woolley company shipped the
5 finished, filled MMS bottles via commercial carriers to various locations at the
6 request of various PGL employees. **SMITH** and **DELONG** paid the Sedro
7 Woolley company by check and wire transfer. These payments were made from
8 accounts controlled by **SMITH** and **DELONG**.

9 45. **LOUIS DANIEL SMITH** initially hired a shipping and fulfillment
10 company in Spokane, Washington, to fulfill MMS orders made through the PGL
11 website. The shipping and fulfillment company employees accessed the
12 projectgreenlife.com website to review orders placed by consumers. Once the
13 orders were obtained from the website, the employees shipped MMS and other
14 products to customers throughout the United States as well as internationally. The
15 shipping and fulfillment company shipped the MMS orders using the U.S. Mail
16 and commercial carriers such as FedEx.

17 46. **LOUIS DANIEL SMITH** and PGL employee J.L. directed the
18 shipping and fulfillment company to include the "MMS Simplified for Newbies"
19 pamphlet with each order of MMS shipped for PGL. The pamphlet stated, among
20 other things, "...in addition to helping malaria sufferers, ClO₂ [Chlorine Dioxide]
21 had benficial [sic] impact on a wide variety of conditions alleged to be caused by
22 other pathogens including viruses, mold, bacteria or fungi; diseases like:
23 HIV/AIDS, Hepatitis, Typhoid, Cancers, Herpes, Pneumonia, Tuberculosis,
24 Arthritis, Asthma, Seasonal Flu – even Bird and Swine Flu."

25 47. **LOUIS DANIEL SMITH** recruited **TAMMY OLSON** to work as a
26 customer care representative for PGL. **OLSON** assisted customers with orders,
27 handled complaints, and answered consumer questions. At times, she
28

1 communicated with PGL customers using the email addresses
2 mmsmiracle@gmail.com and customercare@projectgreenlife.com.

3 48. On or about March 24, 2009, **TAMMY OLSON**, using the address
4 mmsmiracle@gmail.com, emailed a potential Canadian consumer of MMS who
5 expressed concern that MMS was illegal in Canada. **OLSON** said, "MMS has
6 been banned for sale in Canada for over six months. We ship the MMS as water
7 purification drops also. We have not had any difficulty with your customs
8 department, getting product through the boarder [sic]. "

9 49. On or about October 14, 2009, an individual from Costa Rica emailed
10 **LOUIS DANIEL SMITH** to inquire about distributing PGL's MMS. **SMITH**
11 forwarded the email to PGL employee J.L. for response. On or about October 15,
12 2009, PGL employee J.L. responded by email. J.L. said, "[A]s you know probably
13 the first hurdle you must "jump over" is customs in your region. I presume each
14 country in Central America may be a little different. Our main product is MMS,
15 and it is sold in the U.S. as a water purification product. Because of this, we
16 generally don't send the [J.H.] protocol (oral consumption) with MMS
17 international orders to help ease the importation regulations for international
18 countries."

19 FDA Inspections of PGL's Supplier and Shipper

20 50. On or about August 10, 2010, the FDA inspected the shipping and
21 fulfillment company's warehouse in Spokane, Washington. Inspectors
22 interviewed employees and reviewed records related to the shipment of MMS and
23 other products for PGL. The shipping and fulfillment company stopped working
24 with PGL following the inspection.

25 51. On or about August 18, 2010, the FDA inspected the Sedro Woolley,
26 Washington company's facilities. Inspectors interviewed employees and reviewed
27 records related to the production of MMS for PGL. The Sedro Woolley company
28 terminated the relationship with PGL prior to the inspection.

1 52. Shortly after the FDA inspection of the Spokane, Washington
2 shipping and fulfillment company, **LOUIS DANIEL SMITH** removed bottled
3 MMS, MMS literature, and other products from the Spokane company's
4 warehouse.

5 Post-Inspection Manufacture and Shipment of MMS

6 53. Following the FDA inspections, PGL sought new suppliers and
7 shippers to continue selling MMS. **LOUIS DANIEL SMITH** and **KARIS**
8 **DELONG** recruited family and friends to participate in their scheme to
9 manufacture and ship MMS.

10 54. Sometime after the FDA inspected the Sedro Woolley company,
11 **CHRIS OLSON** agreed to produce MMS for PGL in a building located on his
12 property at 3715 East Longfellow Road, Spokane, Washington. At times,
13 **OLSON** used the email address colson@belaircomposites.com to communicate
14 with **LOUIS DANIEL SMITH** and others about MMS production.

15 55. Sometime after the FDA inspected the Spokane, Washington shipping
16 and fulfillment company's warehouse, **KARIS DELONG** recruited family
17 member M.D. to ship MMS and other products ordered through the PGL website.
18 M.D. obtained orders from the PGL website and shipped MMS to customers
19 throughout the United States as well as internationally. M.D. shipped MMS
20 orders using the U.S. Mail and commercial carriers such as FedEx. M.D. used the
21 Stamps.com accounts controlled by **LOUIS DANIEL SMITH** to pay the postage
22 for packages shipped through the U.S. Mail. **SMITH** and **DELONG** paid M.D. by
23 transferring money directly to M.D.'s account from accounts **SMITH** and
24 **DELONG** controlled.

25 56. At various times following the FDA inspections, **LOUIS DANIEL**
26 **SMITH**, **KARIS DELONG**, and M.D., among others, delivered packages
27 containing MMS to Spokane, Washington Post Offices for shipment in interstate
28 commerce.

1 57. On or about June 30, 2011, federal agents searched the premises of
2 3715 Longfellow Road, Spokane, Washington. As detailed above, this address
3 was the location of Belair Composites and Chris Olson Customs. **CHRIS**
4 **OLSON** was the owner of Chris Olson Customs and a stakeholder in Belair
5 Composites. Inside a building on the property, agents located a large tank
6 containing liquid Sodium Chlorite. The tank bore labeling indicating it was
7 shipped from the Alberta, Canada chemical supply company. Agents also located
8 bottling and labeling equipment, PGL labels, and other items associated with
9 PGL's bottled MMS.

10 58. After agents searched Chris Olson Customs at 3715 Longfellow
11 Road, Spokane, Washington, both **LOUIS DANIEL SMITH** and **CHRIS**
12 **OLSON** filed various documents with the United States District Court for the
13 Eastern District of Washington. In the filed documents, **SMITH** stated Chris
14 Olson Customs was a "service provider" for the "Project GreenLife Private
15 Membership Association," and **OLSON** stated Chris Olson Customs provided
16 "contracted services" for PGL.

17 59. **TAMMY OLSON** established the website purestreamhealth.com
18 after federal agents executed search warrants at various locations in Spokane,
19 Washington related to the production and shipping of MMS. **OLSON** continued
20 marketing and selling MMS to consumers through the purestreamhealth.com
21 website.

22 60. **LOUIS DANIEL SMITH, KARIS DELONG, TAMMY OLSON,**
23 and **CHRIS OLSON** did not register their manufacturing facilities with FDA.

24 **OVERT ACTS**

25 In furtherance of the conspiracy, **LOUIS DANIEL SMITH, KARIS**
26 **DELONG, TAMMY OLSON,** and **CHRIS OLSON** committed the following
27 overt acts, among others, in the Eastern District of Washington, and elsewhere:
28

1 61. On or about September 11, 2004 defendant **LOUIS DANIEL**
2 **SMITH** created the domain name projectgreenlife.com.

3 62. On or about December 10, 2007 defendant **LOUIS DANIEL SMITH**
4 opened Stamps.com account number XXX7224.

5 63. On or about March 14, 2008, **LOUIS DANIEL SMITH** and **KARIS**
6 **DELONG** purchased the domain name pglwater.com.

7 64. On or about November 7, 2008, PGL paid the Sedro Woolley
8 company \$4,975.00 by wire transfer for the manufacture of MMS. **KARIS**
9 **DELONG** controlled the originating account.

10 65. On or about January 19, 2009, **LOUIS DANIEL SMITH** opened
11 Stamps.com account XXX5760.

12 66. On or about February 23, 2009, **LOUIS DANIEL SMITH** and
13 **KARIS DELONG** purchased the domain name wastewatersys.com.

14 67. On or about March 3, 2009, **LOUIS DANIEL SMITH** and PGL
15 employee J.L. emailed the owner of a chemical supply company in Alberta,
16 Canada. **SMITH** and J.L. ordered 32 drums of Sodium Chlorite for \$10,368 USD.

17 68. On or about March 4, 2009, **KARIS DELONG** wired \$10,368 to the
18 owner of the Alberta, Canada chemical supply company.

19 69. On or about June 18, 2010, defendants **LOUIS DANIEL SMITH**
20 and **KARIS DELONG** paid the Spokane shipping and fulfillment company
21 \$4,597.22 to ship MMS and other products in interstate commerce.

22 70. On or about September 17, 2010, following the FDA inspection,
23 defendant **LOUIS DANIEL SMITH**, removed bottled MMS, literature, and other
24 PGL products from the shipping and fulfillment company's warehouse in
25 Spokane, Washington.

26 71. On or about November 1, 2010, defendants **LOUIS DANIEL**
27 **SMITH** and **KARIS DELONG** caused a package containing MMS to be mailed
28 to Oakland, California from Spokane, Washington.

1 72. On or about November 12, 2010, defendants **LOUIS DANIEL**
2 **SMITH** and **KARIS DELONG** caused a package containing MMS to be mailed
3 to San Clemente, California from Spokane, Washington.

4 73. On or about November 16, 2010, defendants **LOUIS DANIEL**
5 **SMITH** and **KARIS DELONG** caused a package containing MMS to be mailed
6 to San Clemente, California from Spokane, Washington.

7 74. On or about February 11, 2011, **CHRIS OLSON**, using the account
8 colson@belaircomposites.com, emailed **LOUIS DANIEL SMITH** at email
9 addresses dvotino@gmail.com and daniel@projectgreenlife.com. **OLSON** said,
10 "We finished the 750 bottles of sodiun [sic] chlorite and the 750 bottles of Citric
11 Acid Activator this weekend. The total cost to you is \$900.00 for the run."

12 75. On or about June 30, 2011, defendants **LOUIS DANIEL SMITH**
13 and **KARIS DELONG** caused packages containing MMS to be delivered to a
14 United States Post Office in Spokane, Washington, for delivery into interstate
15 commerce.

16 76. On or about August 2, 2011, defendant **TAMMY OLSON** purchased
17 the domain name purestreamhealth.com.

18 77. On or about July 16, 2012, defendant **TAMMY OLSON** caused a
19 package containing MMS to be mailed to Phoenix, Arizona from Nine Mile Falls,
20 Washington.

21 All in violation of Title 18, United States Code, Section 371.

22 **COUNTS TWO THROUGH FIVE**
23 **Misbranded Drugs**
24 **(21 U.S.C. §§ 331(a) and 333(a)(2))**

25 78. The allegations of paragraphs 1 through 19 and 23 through 60 of the
26 indictment are re-alleged and fully incorporated herein by reference.
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79. On or about the dates below, in Spokane, in the Eastern District of Washington, and elsewhere, defendants

**LOUIS DANIEL SMITH,
KARIS DELONG,
TAMMY OLSON, and
CHRIS OLSON**

with the intent to defraud and mislead, introduced, delivered for introduction, and caused the introduction and delivery for introduction into interstate commerce, from the state of Washington to the states listed below, a drug, bottled MMS, that was misbranded: (1) as defined at Title 21, United States Codes, Section 352(b), in that the label did not bear the name and place of business of the manufacturer, and (2) as defined at Title 21, United States Codes, Section 352(o), in that the drug was manufactured in an establishment which was not registered with the Secretary of Health and Human Services, as required under Title 21, United States Code, Section 360:

Count	Approximate Shipment Date	Detail	Defendants Charged
2	Nov. 1, 2010	Controlled purchase made by an FDA-OCI Special Agent and received in Oakland, California	LOUIS DANIEL SMITH KARIS DELONG TAMMY OLSON
3	Nov. 12, 2010	Controlled purchase made by an FDA-OCI Special Agent and received in San Clemente, California	LOUIS DANIEL SMITH KARIS DELONG TAMMY OLSON
4	Nov. 16, 2010	Controlled purchase made by an FDA-OCI Special Agent and received in San Clemente, California	LOUIS DANIEL SMITH KARIS DELONG TAMMY OLSON
5	June 30, 2011	USPS Priority Mail parcel recovered at the Manito Post Office in Spokane, Washington addressed to A.Z. in Bozeman, Montana	LOUIS DANIEL SMITH KARIS DELONG CHRIS OLSON TAMMY OLSON

All in violation of Title 21, United States Code, Sections 331(a) and 333(a)(2).

COUNT SIX
Smuggling
(18 U.S.C. § 545)

80. The allegations of paragraphs 1 through 19 and 23 through 60 of the indictment are re-alleged and fully incorporated herein by reference.

81. From on or about May 18, 2011 to at least on or about June 30, 2011, in Spokane, in the Eastern District of Washington, and elsewhere, defendants

**LOUIS DANIEL SMITH,
 KARIS DELONG,
 TAMMY OLSON, and
 CHRIS OLSON**

did fraudulently and knowingly import merchandise, Sodium Chlorite, contrary to 21 U.S.C. § 331(a), in that the Sodium Chlorite was a bulk drug ingredient that was misbranded pursuant to 21 U.S.C. §§ 352(a) and 352(f)(1), and did knowingly and fraudulently receive, conceal, buy, sell, and facilitate the transportation, concealment, and sale of this merchandise, after importation, knowing the same to have been imported and brought into the United States contrary to law.

All in violation of Title 18, United States Code, Section 545.

FORFEITURE ALLEGATION
Smuggling

82. The allegations contained in Count Six of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Sections 982(a)(2)(B) and 545 and Title 28, United States Code, Section 2461(c).

83. Upon conviction of the offense alleged in Count Six of this indictment, the defendants **CHRIS OLSON, LOUIS DANIEL SMITH, TAMMY OLSON, and KARIS DELONG**, shall forfeit to the United States, pursuant to Title 18 § 982(a)(2)(B), any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of the smuggling offense, and, pursuant to 18 U.S.C. § 545 and 28 U.S.C. § 2461(c), any merchandise introduced

1 into the United States in violation of § 545, or the value thereof, including but not
2 limited to the following:

3 a. Approximately \$88.19 U.S. funds seized from Wells Fargo
4 Bank account number XXXXXX0570 in the name of L. Daniel Smith and Karis
5 Copper DeLong;

6 b. Approximately \$10,144.43 U.S. funds seized from Wells Fargo
7 Bank account number XXXXXX3298 in the name of Project Greenlife;

8 c. Approximately \$12,129.21 U.S. funds seized from Wells Fargo
9 Bank account number XXXXXX3496 in the name of PGL International, LLC; and

10 d. Approximately 5,019,000 Iraqi Dinar, with an approximate
11 value of \$3,287.45 in U.S. Currency, seized from 2019 West Riverside, Spokane,
12 Washington.

13 84. If any of the property described above, as a result of any act or
14 omission of the defendants:

- 15 a. cannot be located upon the exercise of due diligence;
16 b. has been transferred or sold to, or deposited with, a third party;
17 c. has been placed beyond the jurisdiction of the court;
18 d. has been substantially diminished in value; or
19 e. has been commingled with other property which cannot be
20 divided without difficulty;

21 the United States of America shall be entitled to forfeiture of substitute property
22 pursuant to Title 21, United States Code, Section 853(p), incorporated by Title 18,
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1 United States Code, Section 982(b) and Title 28, United States Code, Section
2 2461(c).

3 All pursuant to 18 U.S.C. §§ 545 and 982(a)(2)(B) and 28 U.S.C. § 2461(c).

4 DATED this 23 day of January, 2013.

5 A TRUE BILL

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9 Michael C. Ormsby
10 United States Attorney

11 Christopher Parisi
12 Assistant United States Attorney
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